

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

407T-894210US



In re Application of

Christopher C. Benz et al.

Application Number

08/978,217

Filed

November 25,

For A NEW ETS-RELATED GENE OVEREXPRESSED IN HUMAN  
BREAST AND EPITHELIAL CANCERS

Group Art Unit

1642

Examiner

A. Holleran

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, October 10, 2001, rejecting the following claims: 1-4, 6-13, 16-18, 21-26, 71,

79 and 82-87

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320 .

- Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 160.00 .

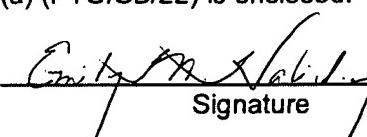
A statement of small entity status under 37 CFR 1.27:

- is enclosed.  
 has already been filed in this application.  
 A check in the amount of the fee is enclosed.  
 The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0893 . I have enclosed a duplicate copy of this sheet.  
 A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

- applicant.  
 assignee of record of the entire interest.  
 attorney or agent of record.  
 attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 38,903



Signature

Emily Haliday

Typed or printed name

04/19/2002 NMDHAMM1 00000019 500893 08978217

April 9, 2002

02 FC:219

160.00 CH

Date

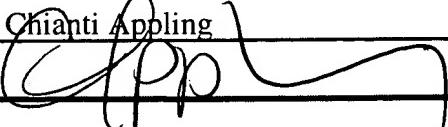
## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date: April 9, 2002

Typed or Printed Name

Chianti Appling

Signature



Date

04/09/02

APR 22 2002

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